

**Federal Defenders
OF NEW YORK, INC.**

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December 21, 2021

VIA ECF

The Honorable Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: United States v. Lawrence Ray
20 Cr. 110 (LJL)**

Dear Judge Liman:

We write on behalf of Lawrence Ray in the above-captioned matter to request a two-day extension to file the defense's response to the Government's motion to preclude Dr. Joseph Pierre as an expert and the defense's reply to the Government's opposition to the defense motion to preclude its expert witnesses. The defense's briefing is currently due on January 3, 2022. The defense requests this short extension in light of the holidays and school break schedules. The Government does not object to extending the deadline for the defense's opposition brief to January 5, 2022, but objects to extending the defense's reply brief deadline to that date.

Further, the defense understands that the Court will hold oral argument on expert witnesses on January 7, 2022. The defense is prepared for oral argument on that date. Because the Court may not decide until then whether evidentiary hearings are necessary or rule on the scope of the testimony at a hearing, the defense respectfully requests that any *Daubert* hearings, to the extent that they are ordered, not be held on January 7, 2022. Rather, with the steep rise in Covid cases and the defense expert in California, the defense requests that the Court rule on whether *Daubert* hearings are necessary before setting a date for the hearings. This would allow the parties time to make travel arrangements for witnesses as needed and avert any unnecessary travel. The Government objects to this request but has indicated that it would not object to adjourning evidentiary hearings and oral argument to January 10, 2022.

When the briefing and hearing schedule in this matter was first set, it was with an eye toward a February 7, 2022 trial date. The Court has since confirmed that trial will now begin on March 8, 2022. Given this, a two-day extension of the defense's briefing and an adjournment of the evidentiary hearing date will not prejudice the Government and is prudent for the reasons stated above.

Thank you for your consideration of this request.

Hon. Lewis J. Liman

Respectfully submitted,

/s/

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Counsel for Lawrence Ray

cc: Counsel of record